



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,615	03/01/2004	Ian Charles Matthews	50N3215.01	8847
27774	7590	01/23/2009		
MAYER & WILLIAMS PC 251 NORTH AVENUE WEST 2ND FLOOR WESTFIELD, NJ 07090			EXAMINER DANG, HUNG Q	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 01/23/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/790,615

Applicant(s)

MATTHEWS ET AL.

Examiner

Hung Q. Dang

Art Unit

2621

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 10/14/2008 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

Claims 14 and 21 are objected to because of the following informalities:

Claims 14 and 21 recite, "first, second and third signals". However, the Examiner is clear which signals the "first signal" and "second signal" are referred to as, respectively.

Appropriate correction is required.

To expedite prosecution, the Examiner interprets the first signal to be the analog signal and the second signal to be the digital signal.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14-15 and 21-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Kostreski et al. (US Patent 5,559,808).

Regarding claim 14, Kostreski et al. disclose a method for processing a plurality of signals (column 13, line 46 – column 14, line 12; column 15, lines 25-35), comprising: converting an analog signal to a desired format (column 13, lines 57-63; column 14,

lines 1-10); converting a digital signal to the desired format (column 13, lines 57-63; column 14, lines 1-10); demultiplexing a third signal in the desired format, said third signal having an audio component and a video component (column 14, lines 43-49; column 15, lines 25-35); packetizing the first, second and third signals (column 14, lines 50-52); and multiplexing the first, second and third signals into a single transport stream (column 14, lines 46-49).

Regarding claim 15, Kostreski et al. also disclose storing the single transport stream (column 14, lines 46-59).

Claim 21 is rejected for the same reason as discussed in claim 14 above.

Regarding claim 22, Kostreski et al. also disclose a source interface having one or more input terminals to receive the plurality of signals of a plurality of different formats (column 15, lines 5-8; column 15, lines 25-34).

Claim 23 is rejected for the same reason as discussed in claim 15 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kostreski et al. (US Patent 5,559,808) as applied to claims 14-15 and 21-23 above, and further in view of Jung et al. (US Patent 6,301,248).

Regarding claim 16, see the teachings of Kostreski et al. as discussed in claim 14 above. However, Kostreski et al. do not disclose buffering the first, second, and third signals prior to the packetizing.

Jung et al. disclose buffering first, second, and third signals prior to packetizing (column 3, lines 59-67; column 4, line 37 – column 5, line 25).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the buffering step disclosed by Jung et al. into the method disclosed by Kostreski et al. to simplify an interface between the encoders and the transport stream (Jung et al., column 1, lines 34-41).

Claim 25 is rejected for the same reason as discussed in claim 16 above.

Claims 17-18 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kostreski et al. (US Patent 5,559,808) as applied to claims 14-15 and 21-23 above, and further in view of Joung et al. (US Patent 5,555,097).

Regarding claim 17, see the teachings of Kostreski et al. as discussed in claim 14 above. Further, Kostreski et al. also disclose converting the analog signal in a predetermined format to a digital signal; and encoding the digital signal (column 14, lines 6-12).

However, Kostreski et al. do not disclose demodulating the analog signal and decoding the analog signal to a predetermined format.

Joung et al. disclose demodulating the analog signal and decoding the analog signal to a predetermined format (column 3, lines 40-50).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the steps of demodulating and decoding disclosed by Joung et al. into the method disclosed by Kostreski et al. because these steps are known in the art as necessary for digitizing of the analog signals correctly.

Regarding claim 18, Kostreski et al. also disclose the desired format comprises an MPEG format (column 13, line 64 – column 14, line 8).

Claim 26 is rejected for the same reason as discussed in claim 17 above.

Claim 27 is rejected for the same reason as discussed in claim 18 above.

Claims 19-20 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kostreski et al. (US Patent 5,559,808) as applied to claims 14-15 and 21-23 above, and further in view of Ro (US Patent 5,999,690) and Torri et al. (US Patent 4,712,175).

Regarding claim 20, see the teachings of Kostreski et al. as discussed in claim 14 above. However, Kostreski et al. do not disclose a selector to select an analog signal, a digital signal and the third signal from among the plurality of signals.

Ro disclose a selector to select a signal from among the plurality of signals (Fig. 1).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the selector disclosed by Ro into the method disclosed by Kostreski et al. in order to share processing resources for economic reasons.

However, the proposed combination of Kostreski et al. and Ro does not disclose the selector to select an analog signal, a digital signal and the third signal.

Torri et al. disclose a selector comprising three independent selectors to provide three independent outputs.

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the teachings by Torri et al. into the method disclosed by Kostreski et al. and Ro so that signal inputs can be grouped into different categories depending on format and nature of the signals in order to share processing resources more efficiently.

Claim 19 is rejected for the same reason as discussed in claim 20 with consideration of the single device being the combined selector.

Claim 24 is rejected for the same reason as discussed in claim 20 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is (571)270-1116. The examiner can normally be reached on IFT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hung Q Dang/
Examiner, Art Unit 2621

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621